

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LEVERNIER CONSTRUCTION,
INC., a Washington corporation,

Plaintiff,

v.

LIBERTY SURPLUS INSURANCE
CORPORATION, a New Hampshire
corporation,

Defendant/Third-Party Plaintiff,

v.

CONTINENTAL WESTERN
INSURANCE COMPANY,

Third-Party Defendant.

NO: 10-CV-0367-TOR

ORDER GRANTING STIPULATION
TO STRIKE MOTION FOR
SUMMARY JUDGMENT AND
EXTENDING SCHEDULING DATES

BEFORE THE COURT is the parties' Stipulation to Remove Motion for
Summary Judgment of Levernier Construction, Inc. from Calendar and to Extend
Discovery Dates. ECF No. 50. The Court has reviewed the stipulation and for
good cause shown,

ORDER GRANTING STIPULATION TO STRIKE MOTION FOR SUMMARY
JUDGMENT AND EXTENDING SCHEDULING DATES ~ 1

1 **HEREBY ORDERS:**

- 2 1. The Parties' Stipulated Motion, ECF No. 50, is **GRANTED**.
- 3 2. Levernier's Motion for Summary Judgment, filed August 9, 2012, ECF
- 4 No. 38, is **STRICKEN**, with leave to renew.
- 5 3. The deadline for Levernier to identify its experts is extended to
- 6 September 25, 2012; the deadline for LSIC to identify its experts is
- 7 extended to October 25, 2012; and the deadline for Levernier to identify
- 8 rebuttal experts is extended to November 8, 2012.
- 9 4. The discovery cut-off in this action is extended to December 21, 2012;
- 10 and the deadline for dispositive and Daubert motions is extended to
- 11 January 4, 2012.
- 12 5. The parties are cautioned that these dates and the dates set forth in the
- 13 Scheduling Order, ECF No. 19, are subject to further revision when third-
- 14 party defendant Continental Western Insurance Company appears herein.

15 The District Court Executive is hereby directed to enter this Order and

16 provide copies to counsel.

17 **DATED** this 6th day of September, 2012.

18 *s/ Thomas O. Rice*

19 THOMAS O. RICE
20 United States District Judge